

## **REMARKS**

Claims 1-6, 8, 9, 18-21, 23-25, 33-41, 48, 50 and 51 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Rule 131 Declaration:**

A new Rule 131 Declaration by the inventor is submitted herewith. The requirements for sufficiency of the Rule 131 Declaration to overcome the rejection were discussed by Applicant's undersigned attorney with Examiner Dalencourt and with Special Programs Examiner Brian Johnson. Per these discussions, it is believed that the Rule 131 Declaration submitted herewith is sufficient to remove the Hendriks reference as prior art.

### **Section 102(e) Rejection:**

The Examiner rejected claims 1-6, 18-21 and 48 under 35 U.S.C. § 102(e) as being anticipated by Alexander James Hendriks (U.S. Publication 2002/0087621) (hereinafter "Hendriks"). Applicant respectfully traverses this rejection for at least the reasons below.

As noted above, the Rule 131 Declaration is sufficient to establish Applicant's date of invention as prior to December 29, 2000. Therefore, Hendriks (U.S. Patent Application 2002/0087621) is removed as a prior art reference since its prior art date is December 29, 2000. Accordingly, Applicants respectfully request removal of the §102(e) rejection of claims 1-6, 18-21 and 48.

### **Section 103(a) Rejection:**

The Examiner rejected claims 8, 9, 23-25, 50 and 51 under 35 U.S.C. § 103(a) as being unpatentable over Hendriks in view of De Greef et al. (U.S. Patent 6,549,217)

(hereinafter "De Greef"). Applicant respectfully traverses this rejection for at least the reasons below.

As noted above, Hendriks is not prior art in light of Applicant's declaration under 37 C.F.R. § 1.131. Therefore, Applicants respectfully request removal of the §103(a) rejection of claims 8, 9, 23-25, 50 and 51.

## CONCLUSION

Applicants submit the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-78600/RCK.

Respectfully submitted,

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